



4-20-06

15w 3626/8

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/881,181	
	Filing Date	June 14, 2001	
	First Named Inventor	Walter Wallach	
	Art Unit	3626	
	Examiner Name	Dilek B. Cobanoglu	
Total Number of Pages in This Submission		Attorney Docket Number	13463-701.201

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. PTO/SB/08 w/ 96 cited references; 22 after doc 2. Return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	WILSON SONSINI GOODRICH & ROSATI		
Signature			
Printed Name	Cecily Anne O'Regan		
Date	April 18, 2006	Reg. No.	37,448

FILED BY EXPRESS MAIL

Signature			
Typed or printed name	Quenette Ngo	Date	April 18, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No. 13463-701.201
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Walter Wallach, et al.

Serial Number: 09/881,181

Filing Date: June 14, 2001

Title: SECURE MEDICAL TEST AND
RESULT DELIVERY SYSTEM

Group Art Unit: 3626

Examiner: Dilek B. Cobanoglu

CONFIRMATION NO: 6808

FILED BY EXPRESS MAIL ON: April 18, 2006
EXPRESS MAIL LABEL NO.: EV 711 417 975 US

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97

Sir:

Applicants hereby submit an Information Disclosure Statement along with attached forms PTO/SB/08. A copy of each listed publication is submitted, if required, pursuant to 37 CFR §§1.97-1.98, as indicated below.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Applicants further request that the Examiner initial and return the attached forms PTO/SB/08 in accordance with MPEP §609.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in §1.56.

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A. ☐ 37 CFR §1.97(b). This Information Disclosure Statement should be considered by the Office because:

☐ (1) It is being filed within 3 months of the filing date of a national application and is other than a continued prosecution application under §1.53(d);

-- OR --

☐ (2) It is being filed within 3 months of entry of the national stage as set forth in §1.491 in an international application;

-- OR --

☐ (3) It is being filed before the mailing of a first Office action on the merits;

-- OR --

☐ (4) It is being filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

B. ☒ 37 CFR §1.97(c). Although this Information Disclosure Statement is being filed after the period specified in 37 CFR §1.97(b), above, it is filed before the mailing date of the earlier of (1) a final office action under §1.113, (2) a notice of allowance under §1.311, or (3) an action that otherwise closes prosecution on the merits, this Information Disclosure Statement should be considered because it is accompanied by one of:

☐ a statement as specified in §1.97(e) provided concurrently herewith;

-- OR --

☒ a fee of \$180.00 as set forth in §1.17(p) authorized below, enclosed, or included with the payment of other papers filed together with this statement.

C. ☐ 37 CFR §1.97(d). Although this Information Disclosure Statement is being filed after the mailing date of the earlier of (1) a final office action under §1.113 or (2) a notice of allowance under §1.311, it is being filed before payment of the issue fee and should be considered because it is accompanied by:

i. a statement as specified in §1.97(e);

-- AND --

ii. a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this Statement.

D. ☐ 37 CFR §1.97(e). Statement.

☐ A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(c);

-- AND/OR --

☐ A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(d);

-- AND/OR --

☐ A copy of a dated communication from a foreign patent office clearly showing that the information disclosure statement is being submitted within 3 months of the filing date on the communication is provided in lieu of a statement under 37 C.F.R. § 1.97(e)(1) as provided for under MPEP 609.04(b) V.

E. ☐ Statement Under 37 C.F.R. §1.704(d). Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application that was received by an individual designated in § 1.56(c) not more than thirty (30) days prior to the filing of this information disclosure statement. This statement is made pursuant to the

requirements of 37 C.F.R. §1.704(d) to avoid reduction of the period of adjustment of the patent term for Applicant(s) delay.

F. ☒ 37 CFR §1.98(a)(2). The content of the Information Disclosure Statement is as follows:

☐ Copies of each of the references listed on the attached Form PTO/SB/08 are enclosed herewith.

-- OR --

☒ Copies of U.S. Patent Documents (issued patents and patent publications) listed on the attached Form PTO/SB/08 are NOT enclosed.

-- AND/OR --

☒ Copies of Foreign Patent Documents and/or Non Patent Literature Documents listed on the attached Form PTO/SB/08 are enclosed in accordance with 37 CFR §1.98 (a)(2).

-- AND/OR --

☐ Copies of pending unpublished U.S. patent applications are enclosed in accordance with 37 CFR §1.98(a)(2)(iii).

G. ☒ 37 CFR §1.98(a)(3). The Information Disclosure Statement includes non-English patents and/or references.

☒ Pursuant to 37 CFR §1.98(a)(3)(i), a concise explanation of the relevance of each patent, publication or other information provided that is not in English is provided herewith.

☒ Pursuant to MPEP 609(B), an English language copy of a foreign search report is submitted herewith to satisfy the requirement for a concise explanation where non-English language information is cited in the search report.

-- OR --

☐ A concise explanation of the relevance of each patent, publication or other information provided that is not in English is as follows: _____

☐ Pursuant to 37 CFR §1.98(a)(3)(ii), a copy of a translation, or a portion thereof, of the non-English language reference(s) is provided herewith.

H. ☐ 37 CFR §1.98(d). Copies of patents, publications and pending U.S. patent applications, or other information specified in 37 C.F.R. § 1.98(a) are not provided herewith because:

☐ Pursuant to 37 CFR §1.98(d)(1) the information was previously submitted in an Information Disclosure Statement for another application under which this application claims priority for an earlier effective filing date under 35 U.S.C. 120.

Application in which the information was submitted: _____

Information Disclosure Statement(s) filed on: _____

AND

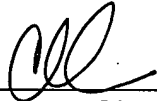
☐ The information disclosure statement submitted in the earlier application complied with paragraphs (a) through (c) of 37 CFR §1.98.

- I. ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.13463-701.201).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: 18 April 06

By: 
Cecily Anne O'Regan
Registration No. 37,448

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Palo Alto, CA 94304-1050
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PTO/SB/08 (07/05)

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				Application Number	09/881,181
				Filing Date	June 14, 2001
				First Named Inventor	Walter Wallach
				Art Unit	3626
				Examiner Name	Dilek B. Cobanoglu
Sheet	1	Of	5	Attorney Docket Number	13463-701.201

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US 2001/0037215 A1	11-01-2001	Sparks	
	2.	US- 2001/0039502 A1	11-08-2001	Case, Robert	
	3.	US- 2002/0002327 A1	01-03-2002	Grant, et al.	
	4.	US- 2002/0007285 A1	01-17-2002	Rappaport, Alain T.	
	5.	US- 2002/0007290 A1	01-17-2002	Gottlieb, Joshua L.	
	6.	US 2002/0013519 A1	01-31-2002	Adams et al.	
	7.	US- 2002/0013906 A1	01-31-2002	Wallach, et al.	
	8.	US 2002/0026331 A1	02-28-2002	Case, Robert	
	9.	US 2002/0077850 A1	06-20-2002	McMenimen et al.	
	10.	US 2003/0170901 A1	09-11-2003	Kippenhan, et al	
	11.	US 2005/0131283 A1	06-16-2005	Grant, et al.	
	12.	US- 4,129,125	12-12-1978	Lester, et al.	
	13.	US- 4,153,815	05-01-1979	Chaplin, et al.	
	14.	US 4,596,157	06-24-1986	Laauwe	
	15.	US- 4,654,871	03-01-1987	Chaplin, et al.	
	16.	US- 4,672,674	06-01-1987	Clough, et al.	
	17.	US- 4,802,485	02-07-1989	Boweres, et al.	
	18.	US- 4,862,144	08-29-1989	Tao, Billy	
	19.	US- 4,908,855	03-01-1990	Ohga, et al.	
	20.	US- 4,912,767	03-01-1990	Chang	
	21.	US- 4,956,867	09-11-1990	Zurek, et al.	
	22.	US- 5,046,491	09-10-1991	Derrick	
	23.	US- 5,121,426	06-01-1992	Baumhauer, et al.	
	24.	US- 5,130,414	09-01-1992	Ng	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet	2	Of	5	Attorney Docket Number	13463-701.201

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	25.	US- 5,131,047	07-01-1992	Hashimoto, et al.	
	26.	US- 5,148,471	09-01-1992	Metroka, et al.	
	27.	US- 5,201,006	04-01-1993	Weinrich	
	28.	US- 5,239,578	08-01-1993	Regen, et al.	
	29.	US- 5,251,263	10-01-1993	Andrea, et al.	
	30.	US 5,257,627	11-02-1993	Rapoport	
	31.	US- 5,319,736	06-01-1994	Hunt	
	32.	US- 5,323,458	06-01-1994	Park, et al.	
	33.	US- 5,335,276	08-01-1994	Thompson, et al.	
	34.	US- 5,343,521	08-01-1994	Jullien, et al.	
	35.	US- 5,381,473	01-01-1995	Andrea, et al.	
	36.	US- 5,385,144	01-31-1995	Yamanishi, et al.	
	37.	US- 5,386,689	02-01-1995	Buzich, et al.	
	38.	US- 5,404,885	04-11-1995	Sheehan, et al.	
	39.	US- 5,406,622	04-01-1995	Silverberg, et al.	
	40.	US- 5,444,786	08-01-1995	Raviv, et al.	
	41.	US- 5,452,361	09-01-1995	Jones, et al.	
	42.	US- 5,471,538	11-01-1995	Sasaki, et al.	
	43.	US- 5,473,702	12-01-1995	Yoshida, et al.	
	44.	US- 5,481,615	01-01-1996	Eatwell, et al.	
	45.	US- 5,493,616	02-01-1996	Lidaka, et al.	
	46.	US- 5,522,382	06-04-1996	Sullivan, et al.	
	47.	US- 5,526,421	06-01-1996	Berger, et al.	
	48.	US- 5,575,285	11-19-1996	Takanashi et al.	
	49.	US- 5,605,151	02-25-1997	Lynn et al.	

Examiner Signature	Date Considered
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Sheet	3	Of	5	Attorney Docket Number	13463-701.201

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	50.	US 5,619,991	04-15-1997	Sloane	
	51.	US 5,625,684	04-29-1997	Matouk et al.	
	52.	US- 5,671,733	09-30-1997	Raviv, et al.	
	53.	US 5,689,247	11-18-1997	Welner	
	54.	US- 5,704,345	01-06-1998	Berthon-Jones	
	55.	US- 5,722,999	03-03-1998	Snell, et al.	
	56.	US- 5,724,983	03-10-1998	Selker, et al.	
	57.	US 5,797,852	08-25-1998	Karakasoglu et al.	
	58.	US- 5,803,066	09-08-1998	Rapoport, et al.	
	59.	US- 5,839,438	11-24-1998	Graettinger, et al.	
	60.	US 5,844,996	12-01-1998	Enzmann et al.	
	61.	US- 5,853,005	12-29-1998	Scanlaon	
	62.	US 5,867,821	02-02-1999	Ballantyne, et al.	
	63.	US- 5,953,713	09-14-1999	Behbehani, et al.	
	64.	US 6,014,629	01-11-2000	DeBruin-Ashton	
	65.	US- 6,083,173	07-04-2000	Grant et al.	
	66.	US- 6,171,258 B1	01-09-2001	Karakasoglu, et al.	
	67.	US 6,213,955 B1	04-10-2001	Karakasoglu et al.	
	68.	US- 6,223,064	04-24-2001	Lynn et al.	
	69.	US- 6,290,654 B1	09-18-2001	Karakasoglu, et al.	
	70.	US 6,485,979 B1	11-26-2002	Kippenhan et al.	
	71.	US 6,558,320 B1	05-06-2003	Causey, III et al.	
	72.	US- 6,594,518 B1	07-15-2003	Benaron et al.	
	73.	US 6,839,581	01-04-2005	El Sohl, et al.	
	74.	US- RE35,122	12-19-1995	Corenman et al.	

Examiner Signature	Date Considered
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Sheet	4	Of	5	Attorney Docket Number	13463-701.201

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² - Number ³ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	75.	EP 168740	07-08-1985	Panic		
	76.	German Publ 3004784	08-01-1991	Deutsche Telephonw AG		
	77.	German Publ 3439329	10-26-1984	Arend		
	78.	German Publ 3719074	06-06-1987	Langenbach		
	79.	German Publ D4103912	02-08-1991	Schoeller, P.		
	80.	Japan 1-042966	02-01-1989	NEC Corp		
	81.	Japan 1202960	08-01-1989	Seiko Instr and Electron Ltd		
	82.	Japan 2-250556	10-01-1990	Sony Corp		
	83.	JP 20000-534930	09-06-2000	The Research Foundation of State University of New York		
	84.	WO 1987/02577	05-01-1987	PalsGard		
	85.	WO 1992/17019	10-01-1992	Kirk Acoustics A S		
	86.	WO 2000/19895	04-13-2000	Karakasoglu		
	87.	WO 2001/96984 A2	12-20-2001	Sleep Solutions		
	88.	WO 2001/97050 A1	12-12-2001	Adams, et al.		
	89.	WO 2005/030048 A1	07-04-2005	The Research Foundation of State University of New York		

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	09/881,181
				Filing Date	June 14, 2001
				First Named Inventor	Walter Wallach
				Art Unit	3626
				Examiner Name	Dilek B. Cobanoglu
Sheet	5	Of	5	Attorney Docket Number	13463-701.201

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	90.	BLACKSHEAR, ET AL., Nocturnal Dyspnea and Atrial Fibrillation Predict Cheyne-Stokes Respirations in Patients with Congestive Heart Failure. <i>Arch Intern Med</i> 1995, 155(12):1297-1302	
	91.	DOUGLAS, S., Analysis of the Multiple-Error and Block Least-Mean-Square Adaptive Algorithms. <i>IEE TRANSACTIONS ON CIRCUITS AND SYSTEMS</i>	
	92.	DOWDELL, ET AL., Cheyne-Stokes Respiration Presentation as Sleep Apnea Syndrome. Clinical and Polysomnographic Features. <i>Am Rev Respir Dis</i> 1990, 141:871-879	
	93.	HANLY, ET AL., pathogenesis of Cheyne-Stokes Respiration in Patients with Congestive Heart Failure. Relationship to Arterial PCO ₂ . <i>Chest</i> 1993, 104:1079-1084	
	94.	Sangil and Park, Full-duplex speakerphone with acoustic and electric echo-canceller utilizing the DSP56200 cascaded adaptive FIR filter chip. <i>Proc. Of Midcon/90 Technical Conference on Electronic and Electrical Technology</i> , Dallas, TX, Sep. 11-13, 1990	
	95.	STANFORTH, ET AL., Nocturnal Desaturation in Patients with Stable Heart Failure. <i>Heart</i> 1998, 79(4):394-399	
	96.	WIDROW, ET AL., Adaptive Signal Processing. <i>Prentice-Hall</i> , New Jersey 1985	

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